

**Senate State and Local Government Committee 1**

**Amendment No. 1 to SB1089**

**Yager**  
**Signature of Sponsor**

**AMEND Senate Bill No. 1089**

**House Bill No. 1199\***

by deleting the preamble and by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 2, Chapter 7, is amended by adding the following language as a new section:

(a) This section shall be known and may be cited as the "Tennessee Freedom of Speech Act."

(b) Notwithstanding any law to the contrary, during the period beginning sixty (60) days before a general election until the day after the next subsequent general election:

(1) This state, a local government, or any other political subdivision of this state:

(A) Shall not regulate the shape or quantity of political or campaign posters or signs placed on private property that is located more than one hundred feet (100') from a polling place if the signs or posters are placed on the property by the owner of the property or any lawful resident of a residence on the property;

(B) May prohibit, notwithstanding subdivision (b)(1)(A), any political or campaign poster or sign covered by this section from exceeding:

(i) For commercial property, thirty-two square feet (32 sq. ft.) in size; and

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(ii) For residential property, sixteen square feet (16 sq. ft.)

in size; and

(C) Notwithstanding subdivision (b)(1)(A), may adopt reasonable restrictions limiting the number of political campaign signs or posters that may be placed on property; provided, that such restrictions authorize an owner or resident to place at least one (1) poster or sign on the property per candidate, issue, or subject; and

(2) A homeowners' association shall not, by covenant, condition, restriction, or rule, prohibit the display of political or campaign posters or signs placed on private property by the owner of the property or any lawful resident of a residence on the property. A homeowners' association may adopt reasonable covenants, conditions, restrictions, or rules with respect to the placement of political or campaign posters or signs placed on homeowner association common space and private property maintained by the owner or resident, including limiting the size of campaign posters or signs in those common and private property areas to four square feet (4 sq. ft.).

(c) A lessor of residential property may require a lessee to obtain the written permission of the lessor prior to placing any political or campaign posters or signs on such residential property. Any such requirement must be included in the lease or rental agreement.

SECTION 2. This act applies to any clause, covenant, condition, restriction, or rule contained in any agreement or contract between a homeowners' association and property owner or between a lessor and lessee executed or modified after the effective date of this act.

SECTION 3. This act shall take effect on July 1, 2017, the public welfare requiring it.